

Appl. No. 09/880,266  
Amdt. Dated May 10, 2004  
Reply to Office action of February 9, 2004  
Attorney Docket No. P14978-US2  
EUS/J/P/04-3105

### **REMARKS/ARGUMENTS**

#### **Amendments**

The Applicants have amended claims 1-6, 9-11 and 13-14; claim 8 has been canceled. Claims 1-7 and 9-14 are pending in the application. No new matter has been added. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

#### **Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 1-7 are rejected under 35 U.S.C § 103(a) as being unpatentable over Valentine *et al.* (US 6,356,751 B1, hereinafter Valentine) in view of Choi *et al.* (US 6,594,492 B2, hereinafter Choi) and further in view of Houde (US 5,797,093). The Applicant respectfully traverses the rejection of these claims.

The Valentine reference appears to disclose a satellite communication system with a method for bridging an emergency call with a satellite call. Valentine teaches a mobile station involved in a satellite call with another mobile station may activate an emergency call feature during the call, which triggers one or both of the stations to perform a call release (disconnect) and re-establishment procedure (Abstract). In other words, the Valentine reference teaches disconnecting and reconnecting a call that is interrupted by the emergency call.

The Choi reference appears to disclose an information retrieval arrangement between a serving MSC and an anchor exchange following a completed inter-exchange handoff.

The Houde reference appears to disclose an arrangement for routing a Public safety answering point identification message to the correct PSAP system. Because of potentially multiple inter-system handoffs the PSAP identification message may be improperly routed to the PSAP of the anchor mobile switching center.

The Applicants respectfully direct the Examiner's attention to amended claim 1:

1. (Currently Amended) A method of managing an Emergency Services Call (ESC) within a network while a [[party]] subscriber is engaged in an on-going call, wherein the network includes a serving entity, an anchor entity, a Position Determination Entity (PDE),

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and an Emergency Services Entity (ESE), the method comprising the steps of:  
handing off the on-going call from the anchor entity to the serving entity;  
responsive to an emergency condition, the subscriber invoking the ESC via 3-way calling while maintaining the on-going call;  
receiving a request for the ESC at the serving entity;  
receiving a request for a current geographic position of the subscriber at the PDE;  
determining the current geographic position of the subscriber by the PDE;  
receiving the current geographic position of the subscriber at the serving entity;  
sending the current geographic position to the anchor entity;  
setting up the ESC between the anchor entity and the ESE; and  
updating the anchor entity with the current geographic position.  
(emphasis added)

The Applicant respectfully assert that the Valentine and Choi references do not teach the above emphasized limitations in amended claim 1 of the present invention.

The present invention discloses a method and network of sending an emergency services call to an emergency services entity following a handoff from an anchor entity to a serving entity. Utilizing a 3-way calling function, either party to the on-going call may place an emergency services call and the location of the "troubled party" (see claim 13) may be determined by the present invention. The serving MSC provides location information to the Anchor MSC, which then connects the emergency call to the ESE (Page 10, lines 4-23) associated with the serving MSC.

With respect to the assertion in the Office Action that the HLR of Valentine reads on the Position Determining Entity of the Applicant's invention, the Applicant respectfully disagrees. The PDE of the Applicant's invention is defined as able to determine the current geographic position of the mobile station (page 10, line 14), wherein Valentine consults the stored information in the HLR to determine the last reported location of the mobile station. Valentine consults the HLR to determine whether the called party number is registered with the calling party MSC. This is done in the sense of determining whether the mobile station is roaming or not.

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The Choi reference is cited for sending the current location to the anchor exchange, wherein the anchor exchange sets up the emergency call. However, Choi does not supply the missing limitation of the call request being initiated after a handoff from the anchor to the serving entity.

Houde is cited for providing placing an on-going call on hold after being interrupted by the origination of an emergency call. However, Houde fails to supply the missing limitation of the call request being initiated after handoff from the anchor to the serving entity.

As noted above, the present invention, after handoff from an anchor to a new serving entity, places the on-going call on hold, according to a 3-way calling function, and initiates the emergency call. The Choi and Houde references are cited to remedy this deficiency of Valentine. However, as noted above, Choi and Houde fail to remedy this deficiency and therefore would not have motivated one of ordinary skill in the art to arrive at Applicant's claimed combinations.

In contrast to the teaching of the present invention, the references, Valentine, Choi and Houde, either alone or in combination, do not disclose or suggest utilizing 3-way calling to place an emergency call when the on-going call has been handed off from the anchor entity to the serving entity. Claims 2-7 depend from amended claim 1 and contain the same novel and inventive limitations. Therefore, the Applicant respectfully requests that the rejection of claims 1-7 also be withdrawn.

Claim 8 is rejected under 35. U.S.C § 103(a) as being unpatentable over the combination of Valentine, Choi and Houde and further in view of Chen *et al.* (US 6,522,882 B1, hereinafter Chen). Claim 8 has been canceled rendering the rejection of claim 8 moot.

Claims 9-12 are rejected under 35. U.S.C § 103(a) as being unpatentable over Choi in view of Houde. The Applicant respectfully traverses the rejection of these claims.

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As noted above, Choi appears to disclose an information retrieval arrangement between a serving MSC and an anchor exchange following a completed inter-exchange handoff. The Choi reference is cited for managing an emergency services call during an on-going call. The anchor exchange of Choi, in contrast to that of the present invention, passes the current geographic position of the subscriber to the emergency services center associated with the anchor exchange (Col. 7, lines 25-31).

The Houde reference is cited for teaching a calling party engaged in an on-going conversation prior to initiating an emergency services call. As noted previously, the Houde reference appears to disclose an arrangement for routing a Public safety answering point identification message to the correct PSAP system. However, Houde fails to supply the limitation missing from Choi, that of the on-going call being handed off from the Anchor entity to the serving entity. Neither Choi nor Houde individually or in combination teach or suggest the limitation of the on-going call handoff from the Anchor to the new serving entity.

For all of the above reasons, Choi and Houde, taken singly or in combination, fail to teach or suggest all of the subject matter of claims 9-12 and the Applicant respectfully requests that the rejection of these claims be withdrawn.

Claims 13-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine in view of Houde. The Applicant respectfully traverses the rejection of these claims.

As discussed above in connection with claim 1, with regards to claim 13 Valentine does not obtain a current position from a position determining entity. The location, related to roaming, is obtained from the database in the subscriber's Home Location Register. Neither does Valentine teach putting the on-going call on hold, but disconnecting and re-connecting the on-going call.

Houde is cited for providing the limitation of placing an emergency call during an on-going call. However, neither Houde nor Valentine supplies the missing limitation of the on-going call handoff from the Anchor to the serving entity. Claim 14 depends from

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claim 13 and contains the same limitations as claim 13. Therefore, the Applicant respectfully requests the rejection of these claims be withdrawn.

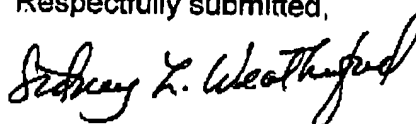
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### CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for Claims 1-7 and 9-14.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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